

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-26542 of 2016 (O&M)

Date of Decision:07.02.2018

Anju Rani

..... Petitioner

Versus

State of Punjab and another

..... Respondents

AND

CRM-M-28733 of 2016 (O&M)

Surinder Kaur

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.Deepak Goyal, Advocate
for the petitioner(s).

Ms. Seena Mand, DAG, Punjab.

Mr.Yogesh Goel, Advocate
for respondent no.2.

LISA GILL, J(Oral).

This order shall dispose of CRM-M-26542 of 2016 and CRM-M-28733 of 2016. For the sake of convenience, facts are extracted from CRM-M-26542 of 2016.

Petitioners seek the concession of anticipatory bail in FIR No.76 dated 09.03.2016, under Sections 366-A, 376, 120-B IPC, Section 4 of the Protection of Children from Sexual Offences Act, 2012 and Section 3, 4 and 5 of the Immoral Traffic Act, registered at Police Station City Sangrur, District Sangrur.

Petitioner-Surinder Kaur, is the maternal aunt of the victim and petitioner-Anju Rani, is the daughter of Surinder Kaur i.e. a cousin sister of the victim/complainant.

Learned counsel for the petitioners submits that the present FIR was registered due to misunderstandings within the family. The complainant in her statement under Section 164 Cr.P.C., has not levelled any allegations against the present petitioners. It is submitted that the complainant/victim was living with her aunt-Surinder Kaur, since the last two years and had wanted to marry one Navdeep Singh, but the petitioner-Surinder Kaur, was not in favour of the said alliance. Thus, due to this reason the present FIR was registered. Moreover, the petitioners have joined investigation and are not involved in any other criminal case. It is thus prayed that these petitions be allowed.

Learned counsel for the complainant states that the complainant has no objection in case these petitions be allowed. Statement of the victim under Section 164 Cr.P.C., is not denied.

Learned counsel for the State, on instructions from SI Pritpal Singh, affirms and verifies that the petitioners have joined investigation and are not involved in any other criminal case. It is not denied that the victim in her statement under Section 164 Cr.P.C., has not raised any allegations against the petitioners.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, all the four petitions are allowed. Consequently, order dated 09.08.2016 in CRM-M-26542 of 2016 and order dated 22.08.2016 in CRM-M-28733 of 2016, are made absolute.

It is clarified that none of the observations made hereinabove

shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petitions.

07.02.2018

s.khan

[LISA GILL]

Judge

Whether speaking/reasoned

:

Yes/No.

Whether reportable

:

Yes/No.